

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

BETTY BEEGLE, Administrator of the
Estate of Rozella Lacey, Deceased

PLAINTIFF

vs.

Case No. 2:19-cv-02093-TLB

PATTY INVERNESS, HER UNKNOWN
HEIRS, ADMINISTRATORS AND ASSIGNS, and
JPMORGAN CHASE BANK, N.A.

DEFENDANTS

AGREED ORDER AND STIPULATION

Plaintiff, Betty Beegle, Administrator of the Estate of Rozella Lacey, Deceased, and Defendant, JPMorgan Chase Bank, N.A ("Chase"), have agreed to the disposition of accounts held in the name of Rozella Lacey as set forth in this agreed order and stipulation. The Court makes the following findings of fact and concludes that the agreement should be effectuated as follows:

1. Chase is the custodian of two IRA accounts in the name of Rozella Lacey, which had a combined value exceeding \$75,000.00 at the time the complaint was filed. One is a Roth IRA. The other is a traditional IRA that was created by a rollover. The Roth IRA has an account number ending in 06633. The traditional IRA has an account number ending in 06647.

2. Ms. Lacey designated a person named Patty Inverness as the payable-on-death beneficiary for the accounts but did not provide a Social Security number or contact information for Ms. Inverness. Ms. Inverness is unknown to the administratrix of the decedent's estate, and substantial efforts to locate Ms. Inverness have been unsuccessful.

3. Based on the pleadings and documents filed with the Court, as supplemented by counsel's representations in multiple status hearings, the Court finds that the parties have made reasonable and diligent efforts to ascertain the whereabouts of Ms. Inverness and determine

whether she exists. The Court concludes that Ms. Inverness, if she exists, has received adequate constructive notice of this action such that the entry of this judgment comports with the Rules of Civil Procedure and due process of law.

4. As of March 31, 2020, Roth IRA account number -06633 held securities and cash with a total value of \$20,597.68. Due to market changes for the securities held in the account, the market value of the account changes daily.

5. As of March 31, 2020, traditional IRA account number -06647 held securities and cash with a total value of \$58,564.43. Due to market changes for the securities held in the account, the market value of the account changes daily.

6. Within 20 business days of the entry of this Order, JPMorgan Securities, LLC ("JPMS") shall liquidate the accounts and issue a check or checks payable to "Betty Beegle, as Administrator of the Estate of Rozella Lacey, Deceased," subject to any tax withholdings that may be required. The Plaintiff shall provide JPMS with all necessary documentation to effectuate the liquidation.

7. Except as set forth herein, Chase is discharged of all liability to the Plaintiff, Ms. Inverness, and her unknown heirs, administrators, and assigns with respect to the Roth IRA account number -06633 and traditional IRA account number -06647. Chase and JPMS are not liable for any IRS tax penalties that the Estate may incur with the liquidation of the accounts, and further are not liable for any market loss incurred with the liquidation.

8. This Order resolves all issues before the Court and this action is therefore dismissed with prejudice, provided, however, that this Court shall retain jurisdiction for 60 days to enforce the terms of this Order.

9. Chase waives all objections under Fed. R. Civ. P. 12(b) asserted in its answer and consents to the entry of this judgment.

IT IS SO ORDERED this 15th day of June, 2020.



HON. TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE

STIPULATED AND AGREED:

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